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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,032	11/30/2000	Jeffrey Kent Fredenburgh	03266.000100	9978

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

WARE, DEBORAH K

ART UNIT	PAPER NUMBER
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1651

MAIL DATE	DELIVERY MODE
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05/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

09/726,032

Applicant(s)

FREDENBURGH ET AL.

Examiner

Deborah K. Ware

Art Unit

1651

All participants (applicant, applicant's representative, PTO personnel):

(1) Deborah K. Ware.(3) Jason Okun.(2) David Naff.

(4) ____.

Date of Interview: 26 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: ____.

Claim(s) discussed: 46-69.

Identification of prior art discussed: all prior art applied at time of final.


Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


DEBORAH K. WARE
PATENT EXAMINER

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicants' urged that cited references at time of final do not disclose or suggest the inventive concept of spore forming bacteria in combination with an adhering agent for adhering the bacteria to a surface for odor control. Applicants' urge that Lin is a cleaner or sanitizer not intended for adhering to a surface and the composition contains a surfactant which composition B in claim 46 excludes by language "consisting essentially of". In claim 46, composition A requires specific adhering agents not disclosed by Lin. Examiners indicated will reconsider the prior art and do additional searching and if better prior art is not found will determine patentability at a patentability conference.